

Notice Letter Page 1, December 13, 2023

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/13/2023

VIA ECF

Honorable Judge Mary Kay Vyskocil
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Kumaran vs. Northland Energy Trading et al* 1:19-Cv-08345 (MKV-DCF)

CONSENT LETTER FOR STAY / DEATH OF COUNSEL

Dear Hon Judge Vyskocil,

I write to notify the Court that sadly, counsel for the corporate Plaintiff The A Star Group, Inc, Mr. David Kostus, Esq, who had taken over the case in March 2022, has sadly passed away, after his contribution to the Appeals. In accordance with [NY CPLR § 321 \(2022\)](#) I respectfully request this proceeding be stayed automatically for thirty days for new counsel to appear.¹ Former counsel Mr. August was also sadly diagnosed with cancer and therefore is no longer able to be involved in this proceeding. In addition, counsel for Westerman LLP, Ms. Ellen Tobin is no longer at the firm, as she undertook an appointment in the New York Court of Claims.

In light of the recent orders, I have promptly met and conferred with Defendants' new counsel Mr. Michael Kwon. Given both the death of corporate counsel and also the impending Christmas holidays, with consent, I respectfully request a short stay, until January 22, 2024 so that new counsel may be appointed and appear for The A Star Group, Inc.

Defendants consent to the short stay and agree to the date of **January 22, 2024**.

Thank you.

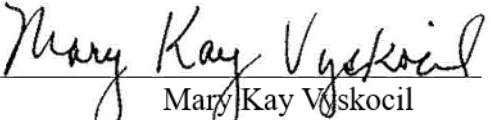
Respectfully submitted

/SSK/

Samantha S. Kumaran
Individual Plaintiffs
212-431-5098
samantha@timetricrisk.com

The motion for a stay is DENIED. However, the Court will hold this matter in abeyance until January 22, 2024 to afford Plaintiff an opportunity to find new counsel. On or before January 23, 2024, Plaintiff must file a letter, informing the Court of the status of her representation. SO ORDERED.

Date: 12/13/2023
New York, New York


Mary Kay Vyskocil
United States District Judge

¹ Mr. MacMull appeared for the sole purpose of filing a Notice of Appeal and his retainer does not cover ongoing proceedings in this District.